

February 9, 2022

VIA ECF

Honorable Arlene Rosario Lindsay
United States Magistrate Judge
United States District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: *Robert Goldblatt v. New York Institute of Technology*,
2:18-cv-00265 (DRH)(ARL)

Dear Judge Lindsay:

I represent Plaintiff, Robert Goldblatt, in connection with the above-referenced matter. I write this letter on behalf of both parties, and for the reasons set forth herein, respectfully request an additional, and final, request for an extension of time to complete discovery and for an extension of the deadlines stated in the Court's most recent Order of December 7, 2021.

As per the above-referenced Order, all discovery was to be completed by February 15, 2022. However, unexpected circumstances related to Covid during the last two months have precipitated a need for a further extension of time. Specifically, on or about December 26, 2021 I, myself, contracted Covid. As such, I was out of the office for a period of just over three weeks, returning to work on or about January 19, 2022. As a result, a period of one month (inclusive of December holidays) was lost in terms of the parties completing discovery. Nonetheless, upon my return I remained in continued contact with Defendant's counsel as we worked diligently to complete the outstanding discovery necessary to comply with the upcoming Court deadline. Although most of the outstanding discovery has been exchanged in that regard, there remains a few items outstanding, as well as the need to conduct depositions. Specifically, Defendant requested HIPAA authorization forms related to any medical treatment Plaintiff received in connection with his prior employment and post-termination. Although forms have been prepared for signature, I have since been informed that Plaintiff, Dr. Goldblatt, also contracted Covid and was hospitalized for a period of three weeks. Although Plaintiff has since been discharged, he remains in recovery at home. Given Plaintiff's hospitalization from Covid, coupled with my absence due to Covid, our ability to provide Defendant with the required HIPAA authorizations, in sufficient time to ensure that responses to the same are provided in advance of the close of

discovery, have been hindered. Additionally, depositions that the parties previously contemplated for dates in January have not been taken due to illness.

For these reasons, the parties respectfully request that an additional extension of time be provided through April 15, 2022. This extension will allow the production of the HIPAA authorizations, responses thereto, and completion of the depositions which, in part, would be predicated on such responses. The parties have jointly requested previous extensions of time to complete discovery in this matter, and but for the illnesses suffered by me and my client since the last request was made the instant application would not have been sought.

Respectfully Submitted,

_____/S/
Gregory A. Tsonis